

**United States District Court  
For The  
District of North Dakota**

## Petition for Action on Conditions of Pretrial Release

COMES NOW, Baily C. Kruger, PRETRIAL SERVICES OFFICER, presenting an official report upon the conduct of defendant, Vincent Clark Espinoza, who was placed under pretrial release supervision by the Honorable Clare R. Hochhalter, Magistrate Judge, sitting in the Court in Bismarck, ND, on September 10, 2020, under the following conditions:

- (1) Defendant shall not violate federal, state, tribal, or local law while on release.
- (2) Defendant shall appear in court as required and surrender for any sentence imposed.
- (3) Defendant shall refrain from the use of alcohol; any use or possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802 or state statute, unless prescribed by a licensed medical practitioner, and any use of inhalants. Defendant shall submit to drug/alcohol screening at the direction of the Pretrial Services Officer to verify compliance. Failure or refusal to submit to testing or tampering with the collection progress or specimen may be considered the same as a positive test.
- (4) Defendant shall report to the Pretrial Services Officer at such times and in such manner as designated by the Officer.
- (5) Defendant shall not possess a firearm, destructive device, or other dangerous weapon.
- (6) Defendant shall reside at Heartview, fully participate in its inpatient programming, and comply with all of its rules and regulations. Upon his arrival, he shall contact Pretrial Services Officer Baily Kruger at (701) 297-2414.
- (7) Defendant shall sign all releases of information requested by the Pretrial Services Officer so that his progress and participation in treatment may be monitored.
- (8) Upon his discharge from the inpatient treatment program, defendant shall immediately report to the United States Marshal's office in Bismarck with the understanding that he shall be detained pending further order of the court.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE  
AS FOLLOWS:**

1. **Violation of Condition #6 and #8:** The defendant left Heartview, without approval, prior to completion of the program and failed to turn himself into the United States Marshal's

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Espinoza, Vincent  
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office in Bismarck. His whereabouts are unknown at this time.

PRAYING THAT THE COURT WILL ORDER: the issuance of a warrant for the arrest of Vincent Clark Espinoza and a hearing be held to determine if he has violated the terms and conditions of his pretrial release.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully,

/s/ Baily C. Kruger

10/07/2020

U.S. Pretrial Services Officer

Place: Bismarck

### **ORDER OF THE COURT**

Considered and ordered this 7<sup>th</sup> day of October 2020, and ordered filed and made a part of the record in the above case.

- Warrant to be issued
- Summons to be issued
- Notice of hearing to be filed
- Modification of the defendant's conditions of release
- Other



Clare R. Hochhalter  
U.S. Magistrate Judge